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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,)	No. CR-05-00266 JW
vs.)	STIPULATION AND [PROPOSED]
DAVID LITTON,)	ORDER EXTENDING BRIEFING
Defendant.)	SCHEDULE AND CONTINUING
)	HEARING

16

STIPULATION

17 The parties hereby stipulate and agree that the date for filing the defendant's reply brief
18 re: Probation's Request to Modify Conditions of Supervised Release may be extended to October
19 2, 2006 and that the hearing date of September 18, 2006 at 1:30 p.m. may be continued to
20 October 16, 2006 at 1:30 p.m. The reason for this request is that the case was only recently
21 transferred within the Federal Public Defender's office, after the filing of Defendant's Objection
22 to Probation's Request to Modify and the United States' Response, and the undersigned Assistant
23 Federal Public Defender requires additional time to review the briefing of both parties, to
24 investigate the relevant factual claims, before preparing the reply.

25 In the event that the Court at the conclusion of the October 16, 2006 hearing concludes
26 that an evidentiary hearing is necessary to resolve the disputed issues, the parties agree that the

1 evidentiary hearing may be set for a later date.

2 The Probation Office has been informed of the requested scheduling change and has
3 agreed to the proposed hearing date.

5 || Dated: September 11, 2006

s/ _____
CYNTHIA C. LIE
Assistant Federal Public Defender

9 || Dated: September 11, 2006

10 s/
11 SHAWNA YEN
Assistant United States Attorney

[PROPOSED] ORDER

Good cause appearing and by stipulation of the parties, it is hereby ordered that the date
14 for filing of defendant's reply brief re: Probation's Request to Modify the Special Conditions of
15 Supervised Release shall be extended to October 2, 2006, and that the date for argument on the
16 Request to Modify shall be continued from September 18, 2006 to October 16, 2006 at 1:30 p.m.

18 || Dated: September 12, 2006

James Ware
JAMES WARE
United States District Judge